



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB2563

by Rep. Robert W. Pritchard

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-508

from Ch. 95 1/2, par. 6-508

Amends the Illinois Vehicle Code. Provides a skills test waiver to personnel of the armed forces of the United States, including Reserve and National Guard members, applying for a CDL that meet the following: (1) have 2 years experience operating a military motor vehicle that is representative of the class of commercial motor vehicle for which the applicant is seeking a CDL, (2) are active duty or discharged within the past year, (3) are residents of Illinois, and (4) provide a skills test waiver form signed by the applicant and his or her commanding officer certifying the applicant qualifies for the skills waiver.

LRB098 08777 MLW 38903 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 6-508 as follows:

6 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)  
7 Sec. 6-508. Commercial Driver's License (CDL) -  
8 qualification standards.

9 (a) Testing.

10 (1) General. No person shall be issued an original or  
11 renewal CDL unless that person is domiciled in this State.  
12 The Secretary shall cause to be administered such tests as  
13 the Secretary deems necessary to meet the requirements of  
14 49 C.F.R. Part 383, subparts F, G, H, and J.

15 (2) Third party testing. The Secretary of state may  
16 authorize a "third party tester", pursuant to 49 C.F.R.  
17 Part 383.75, to administer the skills test or tests  
18 specified by Federal Motor Carrier Safety Administration  
19 pursuant to the Commercial Motor Vehicle Safety Act of 1986  
20 and any appropriate federal rule.

21 (b) Waiver of Skills Test. The Secretary of State may waive  
22 the skills test specified in this Section for a driver  
23 applicant for a commercial driver license who meets the

1 requirements of 49 C.F.R. Part 383.77 and Part 383.123. The  
2 Secretary of State shall waive the skills test specified in  
3 this Section for personnel of the armed forces of the United  
4 States, including Reserve and National Guard, that satisfy the  
5 following:

6 (1) have 2 years minimum experience operating a  
7 military motor vehicle that is representative of the class  
8 of commercial motor vehicle for which the applicant is  
9 seeking a CDL;

10 (2) are active duty or discharged from the military  
11 within the past 365 days;

12 (3) are Illinois residents or hold or are eligible for  
13 an Illinois driver's license. For purposes of this  
14 paragraph active duty military personnel assigned to a unit  
15 based in this State may prove residency by presenting a  
16 letter from his or her commanding officer that the  
17 applicant resides at a military base located in this State,  
18 military orders assigning the person to a military unit  
19 located in this State, or by a leave and earnings  
20 statement; and

21 (4) provide a skills test waiver form supplied by the  
22 Secretary of State signed by the applicant and his or her  
23 commanding officer certifying that the applicant meets the  
24 criteria of this subsection.

25 (b-1) No person shall be issued a commercial driver  
26 instruction permit or CDL unless the person certifies to the

1 Secretary one of the following types of driving operations in  
2 which he or she will be engaged:

- 3 (1) non-excepted interstate;
- 4 (2) non-excepted intrastate;
- 5 (3) excepted interstate; or
- 6 (4) excepted intrastate.

7 (b-2) Persons who hold a commercial driver instruction  
8 permit or CDL on January 30, 2012 must certify to the Secretary  
9 no later than January 30, 2014 one of the following applicable  
10 self-certifications:

- 11 (1) non-excepted interstate;
- 12 (2) non-excepted intrastate;
- 13 (3) excepted interstate; or
- 14 (4) excepted intrastate.

15 (c) Limitations on issuance of a CDL. A CDL, or a  
16 commercial driver instruction permit, shall not be issued to a  
17 person while the person is subject to a disqualification from  
18 driving a commercial motor vehicle, or unless otherwise  
19 permitted by this Code, while the person's driver's license is  
20 suspended, revoked or cancelled in any state, or any territory  
21 or province of Canada; nor may a CDL be issued to a person who  
22 has a CDL issued by any other state, or foreign jurisdiction,  
23 unless the person first surrenders all such licenses. No CDL  
24 shall be issued to or renewed for a person who does not meet  
25 the requirement of 49 CFR 391.41(b)(11). The requirement may be  
26 met with the aid of a hearing aid.

1 (c-1) The Secretary may issue a CDL with a school bus  
2 driver endorsement to allow a person to drive the type of bus  
3 described in subsection (d-5) of Section 6-104 of this Code.  
4 The CDL with a school bus driver endorsement may be issued only  
5 to a person meeting the following requirements:

6 (1) the person has submitted his or her fingerprints to  
7 the Department of State Police in the form and manner  
8 prescribed by the Department of State Police. These  
9 fingerprints shall be checked against the fingerprint  
10 records now and hereafter filed in the Department of State  
11 Police and Federal Bureau of Investigation criminal  
12 history records databases;

13 (2) the person has passed a written test, administered  
14 by the Secretary of State, on charter bus operation,  
15 charter bus safety, and certain special traffic laws  
16 relating to school buses determined by the Secretary of  
17 State to be relevant to charter buses, and submitted to a  
18 review of the driver applicant's driving habits by the  
19 Secretary of State at the time the written test is given;

20 (3) the person has demonstrated physical fitness to  
21 operate school buses by submitting the results of a medical  
22 examination, including tests for drug use; and

23 (4) the person has not been convicted of committing or  
24 attempting to commit any one or more of the following  
25 offenses: (i) those offenses defined in Sections 8-1.2,  
26 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,

1 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,  
2 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,  
3 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,  
4 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,  
5 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,  
6 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25,  
7 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2,  
8 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9,  
9 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5,  
10 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2,  
11 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30,  
12 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6,  
13 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2,  
14 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8,  
15 24-3.9, 31A-1, 31A-1.1, 33A-2, and 33D-1, and in subsection  
16 (b) of Section 8-1, and in subdivisions (a) (1), (a) (2),  
17 (b) (1), (e) (1), (e) (2), (e) (3), (e) (4), and (f) (1) of  
18 Section 12-3.05, and in subsection (a) and subsection (b),  
19 clause (1), of Section 12-4, and in subsection (A), clauses  
20 (a) and (b), of Section 24-3, and those offenses contained  
21 in Article 29D of the Criminal Code of 1961 or the Criminal  
22 Code of 2012; (ii) those offenses defined in the Cannabis  
23 Control Act except those offenses defined in subsections  
24 (a) and (b) of Section 4, and subsection (a) of Section 5  
25 of the Cannabis Control Act; (iii) those offenses defined  
26 in the Illinois Controlled Substances Act; (iv) those

1 offenses defined in the Methamphetamine Control and  
2 Community Protection Act; (v) any offense committed or  
3 attempted in any other state or against the laws of the  
4 United States, which if committed or attempted in this  
5 State would be punishable as one or more of the foregoing  
6 offenses; (vi) the offenses defined in Sections 4.1 and 5.1  
7 of the Wrongs to Children Act or Section 11-9.1A of the  
8 Criminal Code of 1961 or the Criminal Code of 2012; (vii)  
9 those offenses defined in Section 6-16 of the Liquor  
10 Control Act of 1934; and (viii) those offenses defined in  
11 the Methamphetamine Precursor Control Act.

12 The Department of State Police shall charge a fee for  
13 conducting the criminal history records check, which shall be  
14 deposited into the State Police Services Fund and may not  
15 exceed the actual cost of the records check.

16 (c-2) The Secretary shall issue a CDL with a school bus  
17 endorsement to allow a person to drive a school bus as defined  
18 in this Section. The CDL shall be issued according to the  
19 requirements outlined in 49 C.F.R. 383. A person may not  
20 operate a school bus as defined in this Section without a  
21 school bus endorsement. The Secretary of State may adopt rules  
22 consistent with Federal guidelines to implement this  
23 subsection (c-2).

24 (d) Commercial driver instruction permit. A commercial  
25 driver instruction permit may be issued to any person holding a  
26 valid Illinois driver's license if such person successfully

1 passes such tests as the Secretary determines to be necessary.  
2 A commercial driver instruction permit shall not be issued to a  
3 person who does not meet the requirements of 49 CFR 391.41  
4 (b)(11), except for the renewal of a commercial driver  
5 instruction permit for a person who possesses a commercial  
6 instruction permit prior to the effective date of this  
7 amendatory Act of 1999.

8 (Source: P.A. 96-1182, eff. 7-22-10; 96-1551, Article 1,  
9 Section 95, eff. 7-1-11; 96-1551, Article 2, Section 1025, eff.  
10 7-1-11; 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109,  
11 eff. 1-1-13; 97-1150, eff. 1-25-13.)